



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING December 16, 2015

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 16th of December, 2015 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 7:00 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 6 members present: Daryl Anderson, Jeff Christensen, Jack Reimers, Randy Kauk, Ron Kulwicki and Terry Spilinek. Those absent were: Chris Kosmicki, Ken Kozisek and Dave Sack. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Lindsay Kryzcki, Zoning Secretary, and no one from the public were in attendance.

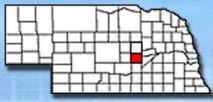
The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Jeff Christensen and seconded by Ron Kulwicki to approve the minutes of the October 21, 2015 meeting. The motion carried on unanimous voice vote.

Administrator Klinginsmith informed the board that the Nathan Lutz sign conditional use permit has been handed over to the county attorney for prosecution as of December 1, 2015. Mr. Lutz did respond to the state of Nebraska on November 30th and stated he does provide goods and services from this location and so he is then meeting the NDOR regulations for the on premise sign. However it is the NDOR understanding that Howard County Regulations would not allow this PEK sign and additionally, Section 002.12B2(f) within our Rules and Regulations states as follows: 002.12B(f) Zoning Conflicts - The applicant shall furnish a copy of the approval from the local zoning authorities. In this situation, Mr. Lutz applied for the conditional use permit and it was denied by the zoning board and commissioners and needs to be removed or resized.

It was also mentioned that the zoning board misses having a county attorney at their meetings. The past attorney would attend all our meetings and involve himself in our discussions and that was nice and they miss having that legal advice when making decisions that will affect us as a county.

At 7:05 p.m. the public hearing regarding a single lot subdivision application by Ernest F. Anderson was opened. The subdivision consists of 4.7 +/- acres and will be named Cushing Country Club Subdivision and is located in the NE ¼ of the SW ¼ of Section 9, Township 15N, Range 9W. There was no one present for the meeting so administrator Klinginsmith represented Mr. Anderson. She stated, Junior is subdividing this off for his son to build a house on, it is located within the 1 mile jurisdiction of Cushion and there is Zoned A-2 and is outside of the floodplain area. There was no testimony for or against the application. A motion was made by Jeff Christensen to approve the Cushing Country Club Subdivision and seconded by Randy Kauk. The motion carried on unanimous voice vote 6-0. A Finding of Fact was completed (copy attached).

A discussion was held regarding sign regulations and continue the conversation of Nathan Lutz status. Klinginsmith stated "The NDOR is okay with the sign as long as it meets the county's regulations. In this case, our zoning board and the county commissioners have both denied the application and I feel the sign needs to be



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removed or resized”. What are your thoughts? Some of the conversation from board members included as follows.

1. He (Mr. Lutz) keeps changing what he is doing or not doing to try and make it fit, but regardless of what he says he does, it does not fit within in our guidelines.
2. Home occupations allow for a business sign 6 square feet, or Ag related 32 square feet, but also specify the residential character of the neighborhood cannot be altered. We have had complaints, (non- officially filed) about the sign size, not belonging in a residential district.
3. The part that is not debatable is the sign must be no larger than 32square feet and have a conditional use permit.
4. At our September meeting the members of the subdivision stated it was okay with them, but put the sign on the other side of the building. You haven’t really changed anything but now they (subdivision residences) have to look at it and that’s not right, okay then it is not okay on the side it is on now.

Administrator Klinginsmith informed the board she will relay this onto the County Attorney. Then discussion continued on our review of current sign regulations. Klinginsmith informed the board members that at her most recent NACO conference, signs were the discussed topic and it was relayed to administrators that the only major item counties, can inforce on signs are the size and location. Therefore, you all have a copy of the sample revision of our sign regulations. Items in red are new to regulation, crossed through items have been removed. There was lots of discussion and it was decided to have the changes discussed and revised with a have a public hearing on this in January.

A discussion on adult entertainment: Klinginsmith informed the board that she hopes to have regulations to present to the zoning board no later than February 2016 zoning meeting.

A discussion on Conditional uses in A-1 district: The question came up, if a hatchery would come to the Grand Island area, they would be looking for 7 to 10 growers in the area to supply eggs. Each may have 50,000 birds, do our A.U. (Animal Units) work for birds? Administrator informed them that, we do have A.U. in place for layers, broilers and pullets, this amount of layers would qualify for a Class I Odor footprint.

Administrator Klinginsmith informed the board that she mailed out letters to property owners that have built new houses when an existing house is still on the property and the old house has not been torn down. The letter states the owner has until June 30, 2016 to remove the old house. If the old house is not removed, the matter will be turned over to the County Attorney for prosecution.

At 8:30 p.m., a motion was made by Jeff Christensen and seconded by Ron Kulwicki to adjourn. The motion carried by unanimous voice vote. The next meeting will be January 20, 2016.